

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

TIFFANY SCORZO)	
)	
<i>Plaintiff</i>)	No. 1:23-cv-03836
)	
v.)	Judge Jeffrey I. Cummings
)	
UNUM LIFE INSURANCE COMPANY OF AMERICA)	Magistrate Judge Sheila M. Finnegan
)	
<i>Defendant</i>)	

**UNUM LIFE INSURANCE COMPANY OF AMERICA’S
MOTION FOR JUDGMENT**

Defendant, UNUM LIFE INSURANCE COMPANY OF AMERICA (“Unum Life”), by its attorney, Jacqueline J. Herring of Hinshaw & Culbertson LLP, submits its Motion for Judgment on the Administrative Record, pursuant to Fed. R. Civ. P. 52(a) and the Employee Retirement Income Security Act of 1974, 29 U.S.C. §1001 *et seq.* (“ERISA”):

1. Plaintiff, in his Complaint, seeks payment of long term disability benefits under an employee welfare benefit plan (“Plan”) insured by Unum Life and governed by ERISA.

2. Unum Life correctly determined that Plaintiff failed to satisfy the terms and conditions for payment of additional disability benefits under the Plan, including that she be unable to perform the duties of any gainful occupation. Plaintiff failed to satisfy her burden of proving her entitlement to benefits under the Plan.

WHEREFORE, Defendant Unum Life Insurance Company of America respectfully requests entry of judgment in its favor and against Plaintiff on all claims in Plaintiff’s Complaint, dismissal of Plaintiff’s Complaint with prejudice, and an award to Unum Life of its costs and attorneys’ fees pursuant to the Federal Rules of Civil Procedure and 29 U.S.C. §1132(g).

Respectfully submitted,

Jacqueline J. Herring (IL-6282246)
HINSHAW & CULBERTSON LLP
151 North Franklin St., Suite 2500
Chicago, Illinois 60606
P 312.704.3975 | F 312.704.3001
JHerring@hinshawlaw.com

By: /s/ Jacqueline J. Herring
Attorney for Defendant,
Unum Life Insurance Company of America

CERTIFICATE OF SERVICE

I certify that on May 17, 2024, I electronically filed the foregoing with the Clerk of the above Court using the CM/ECF system, which will send notification of such filing on the following attorneys:

Matthew T. Maloney
Mark D. DeBofsky
DeBofsky Law, Ltd.
150 N. Wacker Dr., Suite 1925
Chicago, Illinois 60606
mmaloney@debofsky.com
mdebofsky@debofsky.com

/s/ Jacqueline J. Herring
HINSHAW & CULBERTSON LLP
151 North Franklin St., Suite 2500
Chicago, Illinois 60606
P 312.704.3975 | F 312.704.3001
jherring@hinshawlaw.com
Ill. Bar No. 6282246